

THE HONORABLE TANA LIN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

NICOLE TOKARSKI, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

MED-DATA, INC.,

Defendant.

NO. 2:21-cv-00631-TL

**STIPULATED MOTION AND  
~~[PROPOSED]~~ ORDER TO AMEND  
CASE SCHEDULE**

**NOTED FOR CONSIDERATION:  
APRIL 29, 2022**

**I. STIPULATION**

On June 30, 2021, the Court entered an Order setting May 6, 2022, as Plaintiff's deadline to file her motion for class certification. Dkt. No. 13. For the good cause explained below, the parties respectfully request that the Court extend Plaintiff's deadline to file her motion for class certification to 90 days from the original date and adjust all related response dates for the motion for class certification and other case deadlines to account for the 90-day adjustment.

The Local Rules allow parties to file stipulated motions, including to request relief from a deadline. LCR 7(d)(1); LCR 10(g) (providing that stipulated motions to alter schedules previously set by the court should be supported by reasons justifying the proposed change); *Doe v. Trump*, No. 2:17-CV-00178-JLR, 2017 WL 1378504, at \*1 (W.D. Wash. Apr. 11, 2017); *see also* Dkt. No. 22 at 3 ("The Court will alter these dates only upon good cause shown; failure to complete discovery within the time allowed is not recognized as good cause.").

As this Court is aware, several other cases related to this data breach are currently pending, including *M.S., et al. v. Med-Data, Inc.*, 4:22-cv-00187 (Southern District of Texas) and

*C.C. v. Med-Data, Inc.*, which was originally filed in the District of Kansas but has since been remanded to Kansas state court. Plaintiff is actively cooperating with counsel in the Texas and Kansas matters to coordinate discovery. Additionally, the parties in those matters have now agreed to pursue global mediation while continuing to complete the coordinated discovery. Mediation has not yet been scheduled, but the parties anticipate that it will occur in June or July. In the intervening period, the Plaintiffs intend to conduct a joint 30(b)(6) deposition, the Defendant intends to take one or more Plaintiffs' depositions, along with other joint discovery efforts that the parties believe helpful to the mediation.

These efforts to coordinate discovery are ultimately more efficient but require slightly more time. Likewise, it would be difficult and potentially wasteful for the parties to simultaneously brief class certification and prepare for mediation. Extending the current deadlines will allow the parties to focus their efforts on the coordinated discovery and potential global settlement of this matter, saving not just the judicial resources of this Court but those of multiple other courts in which related actions are pending. There is therefore good cause to extend the deadline for a motion for class certification.

Accordingly, the Parties agree and stipulate, subject to the Court's approval, to an extension as follows:

EVENT	CURRENT DEADLINE	NEW DEADLINE
Deadline for Plaintiffs to File their Motion for Class Certification	May 6, 2022	August 4, 2022
Deadline for Defendants' Response to the Motion for Class Certification	June 3, 2022	September 1, 2022
Deadline for Plaintiffs' Reply to the Motion for Class Certification	June 24, 2022	September 22, 2022
Discovery deadline	45 days after Court's ruling on Class Certification	45 days after Court's ruling on Class Certification

Deadline for filing dispositive motions	75 days after Court's ruling on Class Certification	75 days after Court's ruling on Class Certification
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STIPULATED TO AND DATED this 2nd day of May, 2022.

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**II. ORDER**

Based on the forgoing parties' stipulation and for good cause, IT IS HEREBY ORDERED THAT the current deadlines regarding class certification are extended by 60 days.

Dated this 2nd day of May 2022.



Tana Lin  
United States District Judge